

MHN

MOTION UNDER 28 U.S.C. SECTION 2255
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

MOTION TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY
A PERSON IN FEDERAL CUSTODY

UNITED STATES

v.

JOANN BURROUGHS

(Full name and prison number of
movant)

)
)
) 08CV4963
) JUDGE BUCKLO
) MAGISTRATE JUDGE MASON
)
)
)

FILED ^{lcw}

AUG 29 2008
AUG 29 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

IF THE MOVANT HAS A SENTENCE TO BE SERVED IN THE FUTURE UNDER
A FEDERAL JUDGMENT WHICH HE WISHES TO ATTACK, HE SHOULD FILE
A MOTION IN THE FEDERAL COURT WHICH ENTERED THE JUDGMENT.

1. Place of detention, or if on parole, date of parole release

Greenville Correctional Center

2. Name and location of court which sentence was imposed and name
of judge who imposed the sentence which is now under attack.

United States District Court, 219 South Dearborn Street

U.S. courthouse - 5th floor Chicago Ill, 60604 Elaine E. Bucklo

3. Date of judgment of conviction: JUNE 1, 2007
4. Case number: 05 CR 424-2
5. Length of sentence: 22 months
6. Nature of offense involved (all counts): Mail Fraud
counts 1, 18, 12, & 17
7. What was your plea? (check one)
(A) Not guilty ()
(B) Guilty (☒)
(C) Nolo Contendere ()
8. Kind of trial: (check one)
(A) Jury ()
(B) Judge only (☒)
9. Did you testify at the trial?
Yes (☒) No ()
10. Did you appeal from the judgment of conviction?
Yes () No (☒)
11. If you did appeal, answer the following:
(A) Name of court N/A
(B) Result N/A
(C) Date of result _____
12. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications or motions with respect to this judgment in any federal court?
Yes (☒) No ()

13. If your answer to (12) was "YES," give the following information:

- (A) (1) Name of court United States District Court
(2) Nature of proceeding extension
(3) Grounds Raised N/A

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes () No (☒)

(5) Result _____

(6) Date of result _____

(B) As to any second petition, application or motion, give the same information:

- (1) Name of the court _____
(2) Nature of proceeding _____
(3) Grounds Raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes () No (☒)

(5) Result _____

(6) Date of result _____

(C) As to any third petition, application or motion, give the same information:

- (1) Name of the court _____
(2) Nature of proceeding _____
(3) Grounds Raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ()

No (☒)

(5) Result: _____

(6) Date of result: _____

(D) Did you appeal, to an appellate federal court having jurisdiction, the result of action taken on any petition, application or motion?

(1) First petition, etc. Yes () No (☒)

(2) Second petition, etc. Yes () No (☒)

(3) Third petition, etc. Yes () No (☒)

(E) If you did not appeal from the adverse action on any petition, application or motion, explain briefly why you did not:

14. State concisely every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: IF YOU FAIL TO SET FORTH ALL GROUNDS IN THIS MOTION, YOU MAY BE BARRED FROM PRESENTING ADDITIONAL GROUNDS AT A LATER DATE.

A. Ground one requesting probation

Supporting FACTS (tell your story briefly without citing cases or law):

financially supports family & was not fully aware
OR understood fully about the case.

B. Ground two

Supporting FACTS (tell your story briefly without citing cases or law):

C. Ground three

Supporting FACTS (tell your story briefly without citing cases or law):

Ground four _____

Supporting FACTS (tell your story briefly without citing cases or law:

15. If any of the grounds listed in 14 A, B, C, and D were not previously presented, state briefly what grounds were not so presented, and give your reasons for not presenting them:

16. Do you have any petition or appeal now pending in any court as to the judgment under attack? Yes () No (☒)

(A) If "YES," state the name of the court and the nature of the proceeding: _____

17. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(A) At preliminary hearing _____

Patrick King, Leonard Goodman

(B) At arraignment and plea _____

Patrick King, Leonard Goodman

- (C) At trial _____

(D) At sentencing _____

(E) On appeal _____

(F) In any post-conviction proceeding _____

(G) On appeal from any adverse ruling in a post-conviction proceeding _____

18. Were you sentenced on more than one count of an indictment, or more than one indictment, in the same court and at approximately the same time? Yes (✓) No ()

19. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? Yes () No (✓)

(A) If so, give the name and location of the court which imposed the sentence to be served in the future: _____

(B) And give the date and length of sentence to be served in the future: _____

WHEREFORE, movant prays that the Court grant him all relief to which he may be entitled in this proceeding.

Signature of attorney (if any)

Joame Burroughs
Signature of Movant

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/29/2008
(date)

Joame Burroughs
Signature of Movant